

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE	*	BKRTCY. NO. 14-02698 MCF
MILDRED SANTIAGO RODRIGUEZ	*	CHAPTER 13
<u>DEBTOR</u>	*	

**DEBTOR'S MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN 11 USC §1329**

TO THE HONORABLE COURT:

COMES NOW, MILDRED SANTIAGO RODRIGUEZ, the debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1.The debtor is hereby submitting a post-confirmation modification of Chapter 13 Plan, 11 USC Section 1329, dated December 2, 2014, herewith and attached to this motion.

2.This Plan modification is filed to cure the Plan arrears as stated by the Trustee in his motion for dismissal for failure to make current Plan payments, dated November 18, 2014, docket no. 21.

NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 3015(f)

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, and all CM/ECF participants; I also certify that a copy of this notice was sent via

Page -2-

Post Confirmation Modification 11 USC 1329

Case no. 14-02698 MCF13

regular mail to the debtor and to all creditors and interested parties appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 2nd day of December, 2014.

/s/Roberto Figueroa Carrasquillo
ROBERTO FIGUEROA CARRASQUILLO
USDC #203614
ATTORNEY FOR PETITIONER
PO BOX 186 CAGUAS PR 00726
TEL NO 787-744-7699 FAX 787-746-5294
Email: rfigueroa@rfclawpr.com

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 3:14-bk-2698

SANTIAGO RODRIGUEZ, MILDRED

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <u>12/02/2014</u> <input type="checkbox"/> AMENDED PLAN DATED: _____											
<input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other											
<p style="text-align:center">I. PAYMENT PLAN SCHEDULE</p> <table style="width:100%"><tr><td>\$ <u>275.00</u> x <u>5</u> = \$</td><td><u>1,375.00</u></td></tr><tr><td>\$ <u>0.00</u> x <u>2</u> = \$</td><td><u>0.00</u></td></tr><tr><td>\$ <u>275.00</u> x <u>53</u> = \$</td><td><u>14,575.00</u></td></tr><tr><td>\$ _____ x _____ = \$</td><td></td></tr><tr><td>\$ _____ x _____ = \$</td><td></td></tr></table> <p style="text-align:right">TOTAL: \$ <u>15,950.00</u></p> <p>Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from:</p> <p><input type="checkbox"/> Sale of Property identified as follows: _____ _____</p> <p><input type="checkbox"/> Other: _____ _____</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p> <p>PROPOSED BASE: \$ <u>15,950.00</u></p> <p style="text-align:center">III. ATTORNEY'S FEES (Treated as § 507 Priorities)</p> <p>Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,864.00</u></p> <p>Signed: <u>/s/ MILDRED SANTIAGO RODRIGUEZ</u> Debtor</p> <p>_____ Joint Debtor</p>	\$ <u>275.00</u> x <u>5</u> = \$	<u>1,375.00</u>	\$ <u>0.00</u> x <u>2</u> = \$	<u>0.00</u>	\$ <u>275.00</u> x <u>53</u> = \$	<u>14,575.00</u>	\$ _____ x _____ = \$		\$ _____ x _____ = \$		<p style="text-align:center">II. DISBURSEMENT SCHEDULE</p> <p>A. ADEQUATE PROTECTION PAYMENTS OR \$ _____</p> <p>B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:</p> <p>1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____</p> <p>2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. <u>TOYOTA MOTOR CR</u> Cr. _____ Cr. _____ # <u>70404000778150001</u> # _____ # _____ \$ <u>5,657.25</u> \$ _____ \$ _____</p> <p>3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____</p> <p>4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:</p> <p>5. <input type="checkbox"/> Other:</p> <p>6. <input type="checkbox"/> Debtor otherwise maintains regular payments directly to:</p> <p>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)</p> <p>D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.</p> <p>1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____</p> <p>2. Unsecured Claims otherwise receive PRO-RATA disbursements.</p> <p>OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) * "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."</p> <p>Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to TOYOTA MOTOR CREDIT thru the Trustee in the sum \$190.00 per month for the next eight months or until confirmation. Debtor(s) to provide auto insurance upon maturity to TOYOTA MOTORS thru Eastern America Insurance Company.</p>
\$ <u>275.00</u> x <u>5</u> = \$	<u>1,375.00</u>										
\$ <u>0.00</u> x <u>2</u> = \$	<u>0.00</u>										
\$ <u>275.00</u> x <u>53</u> = \$	<u>14,575.00</u>										
\$ _____ x _____ = \$											
\$ _____ x _____ = \$											

Attorney for Debtor R. Figueroa Carrasquillo Law Office

Phone: (787) 744-7699

IN RE SANTIAGO RODRIGUEZ, MILDRED

Debtor(s)

Case No. 3:14-bk-2698

CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 1 of 1

	Cr	#	\$
Executory Contracts - Assumed:	COOP ROLLEY HILL		

Label Matrix for local noticing
0104-3
Case 14-02698-MCF13
District of Puerto Rico
Old San Juan
Tue Dec 2 13:52:59 AST 2014

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

AEE
PO BOX 363508
SAN JUAN, PR 00936-3508

AFNI
CINGULAR
PO BOX 3427
BLOOMINGTON, IL 61702-3427

BANCO POPULAR DE PR
PO BOX 3228
SAN JUAN, PR 00936

CITIFINANCIAL
1 CITIBANK DR STE 201
SAN JUAN, PR 00926-9600

CITIFINANCIAL
PO BOX 499
HANOVER, MD 21076-0499

COOP A/C SEGUROS MULTIPLES
PO BOX 3846
SAN JUAN, PR 00936-3846

COOP ROLLEY HILLS CAROLINA
LIMA Y TEGUCIGALPA ROLLINGS HILLS
CAROLINA, PR 00987

EASTERN AMERICA INSURANCE COMPANY
PO BOX 9023862
SAN JUAN, PR 00902-3862

FIRST PREMIER BANK
3820 N LOUISE AVE
SIOUX FALLS, SD 57107-0145

NORFOLK FINANCIAL
COMMOLOCO
PO BOX 363143
SAN JUAN, PR 00936-3143

PALISADES COLECCION, L.L.C
PO BOX 1244
ENGLEWOOD CLIFFS, NJ 07632-0244

PALISADES COLLECTIONS
PO BOX 19249
SUGAR LAND, TX 77496-9249

PLACIDO ROSADO MUOZ
PO BOX 363143
SAN JUAN, PR 00936-3143

PREMIER BANKCARD/CHARTER
PO BOX 2208
VACAVILLE, CA 95696-8208

Rjm Acquisitions Llc
575 Underhill Blvd, Suite 224
Syosset, NY 11791-4437

TCPR - Toyota Credit de Puerto Rico
P.O. Box 366251
San Juan, Puerto Rico 00936-6251

TOYOTA MOTOR CREDIT
PO BOX 71410
SAN JUAN, PR 00936-8510

(p) TOYOTA MOTOR CREDIT CORPORATION
PO BOX 8026
CEDAR RAPIDS IA 52408-8026

VATIV RECOVERY SOLUTIONS, LLC
PO BOX 1244
ENGLEWOOD CLIFFS, NJ 07632-0244

WANDA DEL VALLE ROLDAN
C/O GRISEL VANESA CRESPO
ARUZ RIVERA 7
GURABO, PR 00778

WANDA I MEDINA DE SOLER
525 ESCORIAL AVE CAPARRA HEIGHTS
SAN JUAN, PR 00920-4707

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

MILDRED SANTIAGO RODRIGUEZ
VILLA CARMEN
M19 ARECIBO STREET
CAGUAS, PR 00725-6106

MONSITA LECAROE ARRIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

ROBERTO FIGUEROA CARRASQUILLO
PO BOX 186
CAGUAS, PR 00726-0186

TOYOTA MOTOR CREDIT CORP
PO BOX 2730
TORRANCE, CA 90509-2730

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)WANDA DEL VALLE-ROLDAN	End of Label Matrix	
C/O GRISEL VANESA CRESPO	Mailable recipients	26
ARUZ RIVERA 7	Bypassed recipients	1
GURABO, PR 00778	Total	27